

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TOMMY JOE PICKETT,	:	
	:	
Plaintiff,	:	Case No. 2:13-CV-1252
	:	
v.	:	JUDGE ALGENON L. MARBLEY
	:	
COMMISSIONER OF	:	Magistrate Judge Kemp
SOCIAL SECURITY,	:	
	:	
Defendant.	:	

ORDER

This matter is before the Court on the United States Magistrate Judge's **Report and Recommendation**. (Doc. 26.) On August 7, 2014, by joint stipulation of the parties, this case was remanded to the Commissioner for further proceedings under Sentence Four of 42 U.S.C. § 405(g). (Doc. 22.) On November 5, 2014, Plaintiff filed a motion for attorney fees under the Equal Access to Justice Act. (Doc. 24.) On December 3, 2014, the Magistrate Judge issued the Report and Recommendation, recommending that Plaintiff's unopposed motion be granted and Plaintiff be awarded the sum of \$3,399.43 to be paid to counsel unless there is an offsetting debt owed to the United States. The Report and Recommendation specifically advises the parties that the failure to object to the Report and Recommendation within fourteen days results in "a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." (Doc. 26 at 3.) The parties have failed to respond. The deadline for objections has lapsed.

The Court hereby **ADOPTS** the Report and Recommendation based on the independent consideration of the analysis therein. Accordingly, Plaintiff's motion for attorney fees under the Equal Access to Justice Act is **GRANTED** in the amount of \$3,399.43 to be paid to counsel.

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: October 1, 2015